Mike Huckabee, Governor **Vol. 27, No. 3, Fall, 2004** **James L. Salkeld, Director**

LOCKHEED MARTIN EARNS A TWO MILLION WORK HOURS SAFETY AWARD

Governor Mike Huckabee presented a Two Million Work Hours Safety Award to officials of Lockheed Martin Missiles and Fire Control Dallas-Camden Operations at the State Capitol in Little Rock on July 13. Also on hand for the presentation were Arkansas Department of Director James L. Salkeld and Commissioners from the Arkansas Workers' Compensation Karen H. McKinney, Olan W. Reeves, and Shelby W. "Terry" Turner.

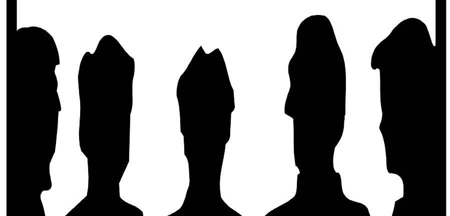
The 450 employees of Lockheed Martin accumulated 2,382,000 work hours without a lost day away from work due to a work related injury or illness since October 22, 2001. The company has had a safety program in effect for 25 years and a 12-member safety committee made up of both employees and management.

Eighty safety awards were presented through this program during the last fiscal year. The Arkansas Department of Labor, the Arkansas Workers' Compensation Commission and the Arkansas Insurance Department are proud to present awards to Arkansas companies who excel in on-the-job safety. For information on award eligibility, contact Ann Sanders at 501-682-4329 or e-mail ann.sanders@arkansas.gov

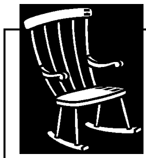
NEW FEDERAL OVERTIME REGS GO INTO EFFECT

New federal overtime regulations became effective on August 23, 2004. These new regulations do not impact employers covered by the state minimum wage and overtime law, only those covered by the federal Fair Labor Standards Act (FLSA).

For more information, visit the U.S Department of Labor's FairPay website at: www.dol.gov/fairpay.



"6.7 million workers will see their overtime protections strengthened under the new Overtime Security Rule," said U.S. Secretary of Labor Elaine Chao. "Under the new rules, workers will know their overtime rights, employers will know their responsibilities and the department can more vigorously enforce these protections."



CAN BABY-BOOMERS STILL ROCK YOUR WORLD?

YOU CAN BET ON IT!!!

If current employment patterns persist, there will be fewer workers in the future available to produce goods and services, thus threatening standards of living for Americans of all ages. Once boomers begin to reach age 65 in 2011, the population will begin to age rapidly. Between 2000 and 2040, the number of Americans 65 and older will more than double, while the number of prime working-age adults, between the ages of 25 and 54, will increase by only 12 percent. As a result, the number of prime working-age adults per elderly American will fall over the next 40 years from 3.5 to 1.8. The number of dependent children will also grow over the next 40 years, compounding the pressures on working adults. In 2040, the number of Americans under 18 and ages 65 and older, who have been less likely to work, will exceed the number of prime working-age adults by 21 percent. In 2000, by contrast, prime working-age adults outnumbered dependent children and elderly adults by 14 percent.

The growing imbalance between working age adults and elderly persons is reducing the number of workers who can finance retirement benefits for older Americans. Both Social Security and Medicare are funded primarily on a pay-as-you-go basis, with payroll taxes on workers financing benefits received by retirees. According to the latest official projections, outlays will begin to exceed revenues for Medicare in 2011 and for Social Security in 2018. More fundamentally, the aging of the population reduces the number of workers available to produce the goods and services that the economy needs. Without dramatic increases in productivity or (continued in next column) → changes in employment patterns, the looming worker shortage will reduce per-capita output and lower living standards.

HIGH-PAYING OCCUPATIONS WITH MANY OPENINGS, PROJECTED 2002-2012

High-paying occupations that are projected to have many openings are varied. The job openings shown in the chart represent the totals that are expected each year for workers who are entering these occupations for the first time. The job openings result from each occupation's growth and from the need to replace workers who retire or leave the occupation permanently for some other reason. Not included among these openings are ones that are created when workers move from job to job within an occupation.

Median earnings, such as those listed below, indicate that half of the workers in an occupation made more than that amount, and half made less. The occupations in the chart ranked in the highest or second-highest earnings quartiles for 2002 median earnings. This means that median earnings for workers in these occupations were higher than the earnings for at least 50 percent of all occupations in 2002.

Most of these occupations had another thing going for them in 2002: low or very low unemployment. Workers in occupations that had higher levels of unemployment – truck drivers, carpenters, and electricians – were more dependent on a strong economy or seasonal employment.

OCCUPATIONS	Annual Average Job Openings due to Growth and Net Replacement Needs, Projected 2002-12	Median Annual Earnings, 2002
Registered nurses -	110,119	$48,090
Postsecondary teachers -	95,980	49,090
General and operations managers -	76,245	68,210
Sales reps, wholesale & mfg, except technical & scientific products -	66,239	42,730
Truck drivers, heavy & tractor-trailer -	62,517	33,210
Elementary school teachers, except special education -	54,701	41,780
First-line supervisors or mgrs of retail sales workers -	48,645	29,700
Secondary school teachers, except special and vocational education -	45,761	43,950
General maintenance & repair workers -	44,978	29,370
Executive secretaries & admin. assistants -	42,444	33,410
First-line supervisors or mgrs. of office & administrative support workers -	40,909	38,820
Accountants and auditors -	40,465	47,000
Carpenters -	31,917	34,190
Automotive service technicians & mechanics -	31,887	30,590
Police and sheriff's patrol officers -	31,290	42,270
Licensed practical & licensed voc. nurses -	29,480	31,440
Electricians -	28,485	41,390
Management analysts -	25,470	60,340
Computer systems analysts -	23,735	62,890
Special education teachers -	23,297	43,450

IN THE WORKS

- U.S. Secretary of Labor Elaine L. Chao recently announced three National Emergency Grants totaling $2,618,793 to aid dislocated workers in Arkansas. The grants, awarded to the Arkansas Employment Security Department, will provide assistance to approximately 560 individuals laid off from Southwest Airlines Reservation Center, and Ozark Aircraft Systems, as well as workers dislocated as a result of recent flooding in Arkansas.
- In 2003, as in the past, black mothers with children under 18 years were more likely than white mothers to be in the labor force – 78 percent compared with 70 percent. In contrast, Hispanic or Latino mothers were less likely than black or white mothers to be labor force participants. About 67 percent of Asian mothers were labor force participants in 2003.
- Overall, foreign born workers are more likely than the native born to participate in the U.S. labor force. Among non-Hispanic blacks, non-Hispanic Asians, and Hispanics or Latinos, the participation rates for the foreign born were higher than for their native-born counterparts – and in the case of black, much higher. In contrast, foreign-born, non-Hispanic whites were less likely than their native-born counterparts to be labor force participants. This is partly because foreign-born whites are older than are the other groups.
- The labor force participation rate for youth – the proportion of the population age 16 to 24 working or looking for work – was 67.2 percent in July 2004, one of the lowest rates for July since 1966. The proportion of 16- to 24-year-olds enrolled in school in July has grown over the last decade – from 16.3 percent in 1994 to 28.9 percent in 2004.

LETTERS OF THE LABOR LAW

The Arkansas Department of Labor receives over a thousand e-mails each year with questions on various aspects of our state's labor laws. Daniel Faulkner, an attorney with the Arkansas Department of Labor, will clarify some of the more common areas of concern over the next few issues. The following is the fourth installment.

Q. I had to work Labor Day. Should I get holiday pay for working a national holiday?

A. No. Employers are only required to pay you your regular rate of pay (and overtime if applicable) for working holidays. Many employers choose to pay a higher rate of pay on such holidays, but the law does not require them to do so. Additionally, union contracts may require a higher rate of pay for working certain holidays. The general rule is that employers do not have to pay additional wages for working a holiday.

Q. My employer schedules me to work 12-hour shifts. Should I receive overtime pay for that shift?

A. No. Overtime pay begins when an employee works over 40 hours in a workweek. There is no daily overtime under Arkansas law. An employee must physically work 40 hours in a workweek to receive overtime protection.

Q. I was fired from my job. Does my employer have to pay me within a certain time frame?

A. Yes. Arkansas law requires that an employer pay all wages to an employee within 7 days of termination. This only applies to terminations. If an employee quits, then the employer generally may pay at the next regular payroll cycle.

Q. My employer wants to start paying by direct deposit. Can they force me to agree to receive my check this way?

(*contd. on next page, see* ***Law***)

LABOR NEWS

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JAMES L. SALKELD, DIRECTOR — **JEANETTE DONAHUE, EDITOR**

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(l to r) U.S. Department of Labor Area Director Nick De Quiroga, and Assistant District Director Barlow Curran, and Arkansas Department of Labor's Labor Standards Administrator Cindy Uhrynowycz.

U.S. LABOR OFFICIALS BRING OVERTIME EXPERTISE TO DIVISION

By Cindy Uhrynowycz, Labor Standards Administrator

U.S. Department of Labor Area Director Nick De Quiroga and Assistant District Director Barlow Curran recently came to the Arkansas Department of Labor to meet with me, our Labor Standards Investigators, and the Department's Legal staff on the new federal overtime regulations. In addition to a four-hour slide presentation, they answered questions and made the changes clear and understandable. They also provided background information on the reasons for the changes and gave a balanced and fair talk on the history of the changes.

The Arkansas Department of Labor and the Little Rock office of the U.S. Department of Labor have always had a cooperative and effective relationship, and that is in large part due to the professionalism and courtesy extended by Mr. Curran and Mr. De Quiroga to our staff. And, we are very appreciative.

(LAW contd. from page 3)

A. No. Arkansas law allows employers to pay by direct deposit, but an employee may opt out of a direct deposit plan by simply requesting payment by check.